

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CORNELL DAVIS,

Plaintiff,

v.

J. PENA, et al.,

Defendants.

No. 1:22-cv-00114-DAD-BAK (SAB) (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION DUE TO PLAINTIFF'S
FAILURE TO PAY THE REQUIRED FILING
FEE, FAILURE TO PROSECUTE, AND
FAILURE TO OBEY A COURT ORDER

(Doc. No. 12)

Plaintiff Cornell Davis is a state prisoner proceeding *pro se* with this civil rights action brought pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 4, 2022, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed, without prejudice, due to plaintiff's failure to obey a court order, failure to pay the required filing fee, and failure to prosecute this action. (Doc. No. 12.) Those pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) To date, no objections have been filed and the time in which to do so has now passed.

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the court finds the findings
3 and recommendations to be supported by the record and by proper analysis.

4 Accordingly:

- 5 1. The findings and recommendations issued on May 4, 2022 (Doc. No. 12) are
6 adopted in full;
- 7 2. This action is dismissed, without prejudice, due to plaintiff's failure to obey a
8 court order, failure to pay the required filing fee, and failure to prosecute this
9 action; and
- 10 3. The Clerk of the Court is directed to close this case.

11 IT IS SO ORDERED.

12 Dated: **June 6, 2022**

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15 UNITED STATES DISTRICT JUDGE
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